

Message Text

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ACTION DLOS-04

INFO OCT-01 EUR-12 IO-11 ISO-00 FEA-01 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01

TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00

NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-04 PRS-01 SP-02

SS-15 USIA-06 SAL-01 OIC-02 /121 W

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R 151659Z MAR 76

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC 6338

INFO AMEMBASSY BONN

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

USMISSION EC BRUSSELS

USMISSION NATO

USMISSION USUN NEW YORK

C O N F I D E N T I A L BRUSSELS 2608

E.O. 11652: GDS

TAGS: POLS, BE

SUBJECT: LOS CONFERENCE: BELGIAN COMMENTS ON U.S. POSITIONS

REF STATE 54588

1. WE MADE DEMARCHE REQUESTED REFTEL ON MARCH 15 TO PROFESSOR
VAN DER ESSEN (VDE), BELGIUM'S LONGTIME LOS EXPERT. VAN DER
ESSEN WILL ARRIVE IN NEW YORK MARCH16 AND REMAIN THROUGHOUT
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EIGHT WEEK LOS SESSION. HE MADE FOLLOWING COMMENTS IN RESPONSE

TO OUR PRESENTATION (KEYED TO PARAS AND SUBJECTS OF REFTEL):

PARA 5 (STRAITS). VDE DOES NOT BELIEVE THAT STRAITS ISSUE IS YET WELL ON THE WAY TO A SATISFACTORY RESOLUTION. HE NOTES THAT THE TEXT IS AMBIGUOUS AND THAT EACH STATE CAN INTERPRET IT AS IT WISHES. FOREGOING IS GENERAL COMMENT ON ISSUE AS BELGIUM DOES NOT TAKE PARTICULAR INTEREST IN SUBJECT.

PARA 6 (INT ORG FOR MINING DEEP SEA BED). BELGIAN POSITION IS VERY CLOSE TO THAT OF USG, WHICH BELGIANS RECEIVED FROM EC-9 AFTER US-UK CONSULTATIONS. ANY DIFFERENCES ARE ONLY UNSPECIFIED NUANCES WHICH VDE SAID CAN BE RESOLVED EASILY.

PARA 6A (TUNA). BELGIUM HAS NO POSITION ITSELF ON TUNA FISHING IN WHICH IT DOES NOT ENGAGE. BELGIUM WILL COORDINATE ITS POSITION WITH EC-9.

PARA 6B (HIGH SEAS CHARACTER OF 200 MILE ECONOMIC ZONE BEYOND THE TERRITORIAL SEA). BELGIUM AGREES WITH USG POSITION, BUT NOTES THAT IT HAS NOT FORMALLY ACCEPTED THE 200 MILE ECONOMIC ZONE CONCEPT.

PARA 6C (EXTENT OF COASTAL STATE JURISDICTION OVER CONTINENTAL MARGIN). BELGIUM WOULD PREFER TO LIMIT COASTAL STATE JURISDICTION TO LESS THAN 200 MILES, NOTING THE EFFECT ON ITS FISHING INDUSTRY. SHOULD BELGIUM LOSE ITS ACCESS TO ITS TRADITIONAL FISHING AREAS, THAT LOSS WILL "SHOCK PUBLIC OPINION". BELGIUM WILL CONTINUE TO TRY TO RECONCILE ITS POSITION WITH EC-9, AND IS OPTIMISTIC IT WILL BE ABLE TO DO SO. VDE SAID THAT EC-9 WERE TRYING TO FIND AN ACCEPTABLE FORMULA INVOLVING QUOTAS TO (A) PRESERVE THE FISH STOCKS AND (B) PRESERVE THE INTERESTS OF GEOGRAPHICALLY DISADVANTAGED STATES. IN THE DISCUSSIONS, BELGIUM HAS NOT ACCEPTED AN EXCLUSIVE 12 MILE ECONOMIC ZONE AND DRAWS A SELF-INTERESTED DISTINCTION BETWEEN LARGE AND SMALL FISHING BOATS AND BETWEEN CATCHING DIFFERENT TYPES OF FISH. WITHIN THESE DISTINCTIONS, BELGIUM'S PRESENT POSITION IS NOT TO LIMIT ACCESS TO VESSELS OF CERTAIN COUNTRIES.

PARA 6D (GEOGRAPHICALLY DISADVANTAGED STATES). BELGIAN POSITION AS GEOGRAPHICALLY DISADVANTAGED STATE IS CLOSE TO THAT OF

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LANDLOCKED LUXEMBOURG AND DISADVANTAGED WEST GERMANY. FOR TACTICAL REASONS BELGIUM WILL STAY WITH LANDLOCKED STATES FOR THE MOMENT AND INSIST THAT THEIR CONCERNS BE TAKEN INTO ACCOUNT. BELGIUM AGREES WITH THE CONCEPT OF POOLING RESOURCE RIGHTS ON A REGIONAL BASIS (IN BELGIUM'S CASE WITHIN THE EC-9) AS A WAY OUT OF THIS IMPASSE.

PARA 6E (SCIENTIFIC RESEARCH). BELGIUM IS FOR THE GREATEST

POSSIBLE DEGREE OF FREEDOM FOR SCIENTIFIC RESEARCH. BELGIUM IS WILLING TO NOTIFY COASTAL STATES OF SCIENTIFIC WORK, TO SHARE THE RESULTS OF THE RESEARCH AND TO WELCOME COASTAL STATE OBSERVERS ABOARD SCIENTIFIC RESEARCH VESSELS IN ORDER TO PROVE THAT THE WORK BEING CONDUCTED IS PURELY RESEARCH.

PARA 6E (MARINE POLLUTION). BELGIUM IS IN AGREEMENT WITH THE USG ON MARINE POLLUTION QUESTIONS.

PARA 6 (DISPUTE SETTLEMENT). COMPULSORY SETTLEMENT OF DISPUTES IS BASIC IN BELGIUM'S VIEW. BELGIUM HESITATES TO ACCEPT A SPECIAL LOS COURT TO SETTLE ALL DISPUTES WHICH MIGHT ARISE. IT AGREES THAT SUCH A COURT MIGHT BE THE BEST METHOD TO SETTLE DEEP SEABED DISPUTES, BUT BELIEVES THAT OTHER COURTS MIGHT BE BETTER SUITED TO OTHER QUESTIONS. FIRESTONE

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